

IAP13 Rec'd PCT/PTO 27 FEB 2007

PATENT APP. SER. NO. 10/581,989  
ATTY. DOCKET NO. 1717552

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:	)	Examiner:	Unknown
Thomas Gross	)	Group Art Unit:	Unknown
International Appln. No. PCT/AT2004/000419	)	Confirmation No.:	1863
Serial No.: 10/581,989	)		
Filing Date: June 7, 2006	)		
For: METHOD FOR REMOVAL OF	)		
MATERIAL MINED UNDERGROUND	)		
AND DEVICE FOR CARRYING OUT	)		
SAID METHOD	)		

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Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

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This submission does not represent that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the Commissioner is authorized to charge any additional fees in connection with the filing of this statement to our Deposit Account No. 50-0305.

Respectfully submitted,



Robert J. Schneider  
Reg. No. 27,383

Date: February 23, 2007  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents on the date indicated below.

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Signature

February 23, 2007

Date

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	10/581,989
		Filing Date	06-07-2006
		First Named Inventor	Gross, Thomas
		Art Unit	Unknown
		Examiner Name	Unknown
		Attorney Docket Number	1717552
Sheet	1	of	1

## U. S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		GB 1,048,178	11-16-1965	Placer Exploration Ltd.		
		GB 1,070,826	06-07-1967	Joy Manufacturing Co.		
		DE 38 08 731 A1 (with English Abstract)	10-26-1989	MAN Gutehoffnungshutte AG		

Examiner Signature		Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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